

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

BOBBY SINGLETON, *et al.*,)
Plaintiffs,)
v.) Case No.: 2:21-cv-1291-AMM
JOHN H. MERRILL, *in his*) THREE-JUDGE COURT
official capacity as Alabama)
Secretary of State,)
Defendant.)

Before MARCUS, Circuit Judge, MANASCO and MOORER, District Judges.

BY THE COURT:

**ORDER SETTING DEADLINES REGARDING PLAINTIFFS'
APPLICATION FOR PRELIMINARY INJUNCTIVE RELIEF**

This case is before the three-judge court following a Rule 16 (early) pretrial conference held on November 9, 2021 to address the schedule and manner in which this case will proceed. Counsel for Plaintiffs, counsel for Defendant, and counsel for two putative Intervenor-Defendants, Alabama Senator Jim McClendon and Alabama Representative Chris Pringle, appeared at and participated in the conference.

The court has considered the positions of all parties as set forth in the parties' Joint Proposed Scheduling Order (Doc. 24) and as explained by their counsel during the conference. The court also has considered the serious time exigencies

surrounding the fair and timely resolution of this case, including the provisions of Alabama's election law that set various deadlines applicable to the next Congressional election to be conducted using the electoral maps that are the subject of this action. Among the provisions we have reviewed are (1) Alabama Code Section 17-13-5(a), which effectively establishes a deadline of January 28, 2022 for candidates to qualify with major political parties to participate in the 2022 primary election for the United States House of Representatives and Senate, and (2) Alabama Code Section 17-13-3(a), which establishes the date of that primary election as May 24, 2022.

During the conference, counsel for Plaintiffs indicated that Plaintiffs expect to file a motion for preliminary injunctive relief, and the court solicited the views of all the parties about an appropriate schedule for limited, expedited discovery, motion practice, and a hearing on that motion. To afford the parties as much time as possible for discovery and to ensure that a preliminary injunction hearing may be held ahead of the January 28, 2022 qualification deadline, the court sets the following deadlines:

Any motion for preliminary injunction shall be filed on or before **NOVEMBER 19, 2021**. Any objection to the motion shall be filed within seven days¹ of the filing of the motion for preliminary injunction. Any reply shall be filed within five days of the filing of any objection.

¹ This order refers to calendar days, not business days.

On or before **DECEMBER 10, 2021**, the parties shall exchange any expert reports related to the motion for preliminary injunction.

On or before **DECEMBER 17, 2021**, the parties shall complete all discovery related to the motion for preliminary injunction.

Any other motions related to the application for preliminary injunctive relief or hearing thereof shall be filed on or before close of business **DECEMBER 17, 2021**. Any objection to such motions shall be filed within seven days of the filing of such motions, and any reply in support of such motions shall be filed within four days of the filing of such objection.

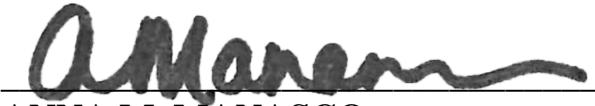
At or before 4:00 pm Central Standard Time on **DECEMBER 21, 2021**, the parties shall file a joint pretrial report that includes, among others, the following:

- A statement of stipulated facts.
- A statement of disputed facts.
- A list of witnesses who have been deposed.
- A list of witnesses who will testify live at the preliminary injunction hearing.
- A list of witnesses whose deposition testimony will be presented at the preliminary injunction hearing, with deposition transcripts attached.
- A list of stipulated exhibits, numbered and with the exhibits attached.

- A list of exhibits to which a party has raised an objection, with the grounds for the objection set forth and the exhibit attached.
- Any other stipulations that the parties believe will expedite the preliminary injunction proceedings.

This matter is **SET** for a hearing on Plaintiffs' application for preliminary injunctive relief on **JANUARY 4, 2022**, at **9:00 a.m.** Central Standard Time in Courtroom 8 in the Hugo L. Black United States Courthouse, 1729 5th Avenue North, Birmingham, Alabama.

DONE and **ORDERED** this 9th day of November, 2021.



ANNA M. MANASCO
UNITED STATES DISTRICT JUDGE
for the court